

# Open A BK Case

## NOTES:

1. Several bankruptcy software providers have developed products that greatly simplify the filing of new bankruptcy cases using Case Upload. You are strongly encouraged to contact your petition software provider.
2. Form #B21 is not required for electronically filed petitions.
3. Per G.O. #05-1, any petition which includes a rent deposit in an attempt to cure a monetary default per §362(l) must be filed in paper. The rent deposit must be in the form of a cashier's check or money order made payable to the landlord, and include an envelope addressed to the landlord.
4. Per G.O. #05-1, do not file payment advices with the court. Serve them on the U.S. Trustee and bring them to the 341(a) meeting.

**STEP 1.** Click on **Bankruptcy** on the ECF Main Menu Bar.

**STEP 2.** Click on **Open a BK Case**.

**STEP 3.** At **Open New Bankruptcy Case** screen:

- ☐ **Case type** – will stay **BK**;
- ☐ **Date filed** – defaults to date of case entry;
- ☐ **Chapter** – click on down arrow and select appropriate Chapter;
- ☐ **Joint Petition** – if only one debtor, leave on “n”; if debtor and joint debtor, change to “y”; and
- ☐ **Deficiencies** – ignore this field, leave default.
- ☐ Click **Next**.

**STEP 4.** At **Search for a debtor** screen:

- ☐ Search for any previous filings by the debtor by either entering the debtor's Social Security Number (XXX-XX-XXXX), Tax ID Number or debtor's last/business name.
- ☐ Click **Search**.

**STEP 5.** A drop-down box will display if the search criteria matched a previous bankruptcy filing.

- ☐ If the debtor is listed, click on the debtor's name.
- ☐ Confirm the information in the pop-up matches 100% (first, middle, last name; address; county).
- ☐ If there is an **exact** match, click **Select name from list**.
- ☐ If there is no match OR the retrieved information doesn't match exactly, click **Create new party**.

**STEP 6.** At **Debtor Information** screen:

- ☐ Enter debtor's last, first and middle name as they appear on the petition. If debtor is a business, enter full name in the **Last name** field.
- ☐ Add any generation (Jr., III) or title (Dr., Prof.) as they appear on the petition.
- ☐ Enter debtor's Social Security Number and confirm entry is correct.
- ☐ Add Tax ID number if any.
- ☐ Leave the Office field blank.
- ☐ Enter the debtor's mailing address as it appears on the petition, following the procedures set forth in the Style Guide.
- ☐ Enter debtor's county of residence. This is a **required** field.
- ☐ Do NOT fill in Country.
- ☐ Do NOT fill in Phone.
- ☐ Do NOT fill in Fax.
- ☐ Do NOT fill in E-mail.

- ☐ Party text should be left blank.
- ☐ Click **Alias** if debtor has aliases or dbas. Enter as they appear on the Petition. Any business names need to be entered in the **Last name** field. Any additional Social Security Numbers or Tax ID numbers need to be entered in the **Last name** field. Enter as they appear on the petition. Leave **Role** as aka. Click **Add aliases**.

**NOTE:** If there are more than five aliases and/or additional Social Security or Tax ID Numbers, click **Aliases** to return to the **Alias Information** screen with additional spaces for entry. Continue until all aliases and/or Social Security or Tax ID Numbers are entered. Click **Add aliases**.

- ☐ Click **Corporate Parent** if debtor has a Corporate Parent. Search for the corporate parent by name. If an exact match is found, click **Select name from list**; otherwise, click **Create new corporate parent**, confirm the name, and click **Add Corporate Parent**.
- ☐ Confirm all information is correct. You may view all Aliases by clicking **Review**.
- ☐ Click **Submit**. Click through the two warning messages that appear, re: no first name or SSN, if your debtor is a business.

**STEP 7.** If the petition is for joint debtors, a **Search for a joint debtor** screen will display.

- ☐ If there is a joint debtor, return to **STEP 4** and proceed through for the joint debtor.
- ☐ When entering the search criteria for the joint debtor, an option will display: Copy previous party's address. If the address for debtor and joint debtor is the same, leave the box checked. If the joint debtor's address is different from the debtor's, click in the box to remove the check.

**STEP 8.** The **Divisional Office** screen displays.

- ☐ This indicates whether the new bankruptcy case will be administered from the Eugene or Portland office of the Bankruptcy Court.
- ☐ Click **Next**.

**STEP 9.** Petition information screen displays.

- ☐ In the **Type of debtor** section, click what applies to the debtor, as on the petition.

- ☐ In **Nature of business** section, click what applies to the debtor, as on the petition.
- ☐ If a box is marked that should not be, de-select by clicking on the box or clicking **Clear** at the bottom of the page and re-entering the information.
- ☐ Answer the remaining items by clicking on the down arrows and selecting a new item or leave the default. Answer all items as they appear on the petition.

**NOTE:** If paying by installments, change **Fee status** from **Paid** to **Installment**. If attempting to waive the filing fee, choose **fee not paid**.

- ☐ Click **Next**.

**STEP 10.** A screen displays with Reminders tailored to the Chapter you are filing and your previous selections.

- ☐ [Chapter 12] The deadline for the Plan appears.
- ☐ Click **Next**.

**STEP 11.** The filing fee displays. If you indicated installments in the Fee Status field, change the amount in the fee box to the correct amount you are paying today.  
**NOTE:** This was part of **Step 10** if filing Chapters 11, 12 and 13.

- ☐ Click **Next**.

**STEP 12.** [Chapter 7 individual] Answer the Presumption of Abuse question. [Individual in any chapter] Answer the yes/no question re: required credit counseling. **NOTE:** This was part of Step 10 if filing a Chapter 13.

- ☐ Click **Next**.

**STEP 13.** A question displays, “Are you filing a completed Summary of Schedules?”

- ☐ Check either **Yes** or **No** as appropriate.
- ☐ Click **Next**.

**STEP 14.** If you choose **Yes**, fill in the Summary of Schedules page. The final **Total Dischargeable Debt** field will compute automatically.

- ☐ Click **Next**.
- ☐ The PDF attachment screen displays.

- ☐ If you choose **No**, the PDF attachment screen displays.
- STEP 15.** The PDF attachment screen displays.
  - ☐ Click **Browse** to select the appropriate PDF to attach the Petition. [**Note:** If you are representing an individual debtor whose debts are primarily consumer-related, be sure your signature is indicated on the petition in two places: Exhibit B on page 2, and Signature of Attorney on page 3.]
  - ☐ Click **Next**.
- STEP 16.** Click **Next** again to confirm filing of the petition.
- STEP 17.** The **Docket Text: Final Text** screen displays.
  - ☐ Confirm the docket text is correct.
  - ☐ Click **Next**.
- STEP 18.** The **Electronic Payment** window displays.
  - ☐ Click **Pay Now** to pay all fees due to the court.
  - ☐ Click **Continue Filing** to file another case or document.
- STEP 19.** The **Notice of Bankruptcy Case Filing** screen displays.
  - ☐ Note Bankruptcy Case Number.
- STEP 20.** Upload the creditors. See separate procedure.
- STEP 21.** File other documents associated with the Petition. Some examples follow.
  - ☐ **Chapter 7 Petitions:**
    1. Exhibit D - new form required on and after 10/16/06 for all individual debtors. Exhibit D should be filed as part of the petition. Certificate re: Credit Counseling Briefing is docketed separately (see #6. below).
    2. If an individual paying by installments, file LBF #110 (Individual Debtor's Application to Pay Filing Fees in Installments). The event is: Bankruptcy - Motions/Applications - Pay Filing Fee in Installments.

3. If applying to waive the filing fee, file Official Form #3B (Waiver of the Chapter 7 Filing Fee) and any supporting documents in a single pdf. The event is Bankruptcy - Motions/Applications - Waive Chapter 7 Filing Fee.
4. If the debtor is a non-government corporation, file the Corporate Ownership Statement. The event is: Bankruptcy - Miscellaneous - Corporate Ownership Statement.
5. If the debtor is an individual, file Official Form #B22A using the following event: Bankruptcy - Miscellaneous - Chapter 7 Means Test. Do not file supporting documents or payment advices with the court. Send a copy to the U.S. Trustee and take a copy to the 341(a) Meeting.
6. File the Certificate re: Credit Counseling Briefing using the event: Bankruptcy - Miscellaneous - Certificate of Credit Counseling.
7. If the debtor is seeking an extension of time for or exemption from Credit Counseling, file LBF #100.3. The event is Bankruptcy - Motions/Applications - Extend Time for Credit Counseling **or** Exemption from Credit Counseling. File any document relating to exigent circumstances using the event Bankruptcy - Miscellaneous - Exigent Circumstances re: Credit Counseling.

❑ **Chapter 11 Petitions:**

1. Exhibit D - new form required on and after 10/16/06 for all individual debtors. Exhibit D should be filed as part of the petition. Certificate re: Credit Counseling Briefing is docketed separately (see #5. below).
2. The List of 20 Largest Unsecured Creditors is filed **as part** of the Petition, at the very end. Include a Certificate of Service indicating that a copy of the List of 20 Largest Unsecured Creditors and the necessary pre-addressed, stamped envelopes were delivered to the Office of the U.S. Trustee.
3. If the debtor is a non-government corporation, file the Corporate Ownership Statement. The event is: Bankruptcy - Miscellaneous - Corporate Ownership Statement.
4. If an individual paying by installments, file LBF #110 (Individual Debtor's Application to Pay Filing Fees in Installments). The event is: Bankruptcy - Motions/ Applications - Pay Filing Fee in Installments.

5. If debtor is an individual, file Official Form #B22B using the following event: Miscellaneous - Chapter 11 Statement of Current Monthly Income. Do not file supporting documents or payment advices with the court. Send a copy to U.S. Trustee and take a copy to the 341(a) Meeting.
6. If debtor is an individual, file the Certificate re: Credit Counseling Briefing using the event: Bankruptcy - Miscellaneous - Certificate of Credit Counseling.
7. If Small Business is selected: File the following using events in the Miscellaneous category: Balance Sheet, Statement of Operations, Cash Flow Statement, and Tax Documents; or Statement No Documents Re 1116 Filed or Prepared.

☐ **Chapter 12 Petitions:**

1. Exhibit D - new form required on and after 10/16/06 for all individual debtors. Exhibit D should be filed as part of the petition. Certificate re: Credit Counseling Briefing is docketed separately (see #5. below).
2. File LBF #1340. The event is: Bankruptcy - Miscellaneous - Certification Re: Tax Returns.
3. File LBF #1200.05 (Chapter 12 Plan). The event is: Bankruptcy - Plan - Chapter 12 Plan.
4. If the debtor is a non-government corporation, file the Corporate Ownership Statement. The event is: Bankruptcy - Miscellaneous - Corporate Ownership Statement.
5. If an individual paying by installments, file LBF #110 (Individual Debtor's Application to Pay Filing Fees in Installments). The event is: Bankruptcy - Motions/ Applications - Pay Filing Fee in Installments.
6. If debtor is an individual, file the Certificate re: Credit Counseling Briefing using the event: Bankruptcy - Miscellaneous - Certificate of Credit Counseling.

☐ **Chapter 13 Petitions:**

1. Exhibit D - new form required on and after 10/16/06 for all individual debtors. Exhibit D should be filed as part of the petition. Certificate re: Credit Counseling Briefing is docketed separately (see #5. below).

2. File LBF #1305 (Attorney's Disclosure of Compensation). The event is: Bankruptcy - Miscellaneous - Attorney Disclosure of Compensation.
3. File LBF #1300.05 (Chapter 13 Plan). The event is: Bankruptcy - Plan - Chapter 13 Plan.
4. If an individual paying by installments, file LBF #110 (Individual Debtor's Application to Pay Filing Fees in Installments). The event is: Bankruptcy - Motions/ Applications - Pay Filing Fee in Installments.
5. If the debtor is an individual, file Official Form #B22C using the following event: Miscellaneous - Chapter 13 Statement of Current Monthly and Disposable Income. Do not file supporting documents or payment advices with the court. Send a copy to the case trustee and take a copy to the 341(a) Meeting.
6. The Certificate re: Credit Counseling Briefing can be filed using the event: Bankruptcy - Miscellaneous - Certificate of Credit Counseling.
7. If the debtor is seeking an extension of time for or exemption from credit counseling, file LBF #100.3 using: Bankruptcy - Motions/Applications - Extend Time for Credit Counseling **or** Exemption from Credit Counseling. File any document relating to exigent circumstances using the event Bankruptcy - Miscellaneous - Exigent Circumstances re: Credit Counseling.

**STEP 22.** Assign the Judge/Trustee.

**NOTE:** This step must only be done AFTER all related case opening documents, that are going to be filed at the time of opening, have been filed (e.g., LBF #1305 (Attorney's Disclosure of Compensation); etc.).

- ☐ This may be done after the entry of multiple cases. This will help keep the 341(a) Meeting of Creditors together.
- ☐ Click on **Bankruptcy** on the ECF Main Menu Bar.
- ☐ Click on **Judge/Trustee Assignment**.
- ☐ The 341(a) Meeting of Creditors will be set and the Judge and Trustee will be assigned.



**NOTE:** The system will only assign a Trustee and 341(a) Meeting of Creditors date for Chapters 7 and 13. The Court will send notice for Chapters 11 and 12 341(a) Meeting of Creditors and trustee assignment.

**NOTE:** If filing a minimum petition, remember to file the missing/deficient documents. Many of them, including those for which no separate event is listed above (e.g., schedules, exhibits to the petition, Statement of Intent, Statement of Financial Affairs and Unsworn Declaration, etc.), are filed using the event Bankruptcy - Miscellaneous - Missing Documents Filed. See separate procedure.